

MAY 26 2011

GENERAL NOTICE LETTER
URGENT LEGAL MATTER
PROMPT REPLY NECESSARY
CERTIFIED MAIL: RETURN RECEIPT REQUESTED

Registered Agent for The Vendo Company
CT Corporation System
120 South Central Avenue
Clayton, Missouri 63105

Re: General Notice Letter for the Former Lyons Diecasting Site
Buckner, Mo.

Dear Agent:

The U.S. Environmental Protection Agency conducted a series of environmental investigations at the former Lyons Diecasting Site (the Site) located at 2300 North Holly Road in Buckner, Mo. The EPA's environmental investigations have documented a release of hazardous substances, including polychlorinated biphenyls (PCBs), at the Site. The EPA is considering spending public funds to cleanup the releases of hazardous substances at the Site. Based on information presently available, the EPA has determined that The Vendo Company may be responsible for cleanup of the Site or costs incurred by the EPA in cleaning up the Site pursuant to the Comprehensive Emergency Response, Compensation, and Liability Act (CERCLA), 42 U.S.C. § 9604(e), as amended, commonly known as the "Superfund" law.

Explanation of Potential Liability

Under CERCLA, specifically Sections 106(a) and 107(a), potentially responsible parties (PRPs) may be required to perform cleanup actions to protect the public health, welfare, or the environment. PRPs may also be responsible for costs incurred by the EPA in cleaning up the Site, unless the PRP can show divisibility or any of the other statutory defenses. PRPs include current and former owners and operators of a Site, as well as persons who arranged for treatment and/or disposal of any hazardous substances found at the Site, and persons who accepted hazardous substances for transport and selected the Site to which the hazardous substances were delivered.

SUPR/ERSB/Davis Mike/Fritz/7231/5.24.11

H: ERSB: 1- Names Files: Davis Mike B: Registered Agent for The Vendo Company-Lyons Diecasting .doc

PPSS

Davis

5/24/11

ERSB

Peterson

5/24/11

~~ERSB~~ CPSL

~~Jackson~~ Richards

5/25/11

40350392



Superfund

Based on the information collected, the EPA believes that The Vendo Company may be liable under section 107(a) of CERCLA with respect to the Site as a previous owner and operator of the Site. Specifically, the EPA has reason to believe that releases from the former Lyons Diecasting facility resulted in PCB contamination at the Site. The Lyons Diecasting facility was owned and operated by The Vendo Company from approximately December 1969 until May 1979. During this period, PCBs were available for purchase and use and were commonly used in diecasting operations.

To date, the EPA and the Missouri Department of Natural Resources (MDNR) have taken several response actions at the Site under CERCLA authority. In October 2009, MDNR conducted a Preliminary Assessment/Removal Site Evaluation (PA/RSE), in order to evaluate the nature and extent of contamination at the Site, and to gain a basic understanding of risks posed to human health and the environment by releases from the Site. In October 2010 and again in April 2011, the EPA conducted sampling for a Site Investigation/Removal Site Investigation (SI/RSE) to expand on the October 2009 sampling conducted by MDNR. The results of this investigation indicated that site conditions pose a threat to human health and the environment, and warrant a removal action per 40 Code of Federal Regulations (C.F.R.) § 300.415(b)(2) of the National Contingency Plan. Multiple PCB sources of contamination have been identified at the Site, including the waste pit located in the main warehouse and the lagoons directly north of it.

Financial Concerns/Ability to Pay Settlements

The EPA is aware that the financial ability of some PRPs to contribute toward the payment of response costs at a site may be substantially limited. If you believe, and can document, that you fall within that category, please contact Robert Richards, the EPA attorney, at (913) 551-7502, for information on "Ability to Pay Settlements." In response, you will receive a package of information about the potential for such settlements and a form to fill out with information about your finances, and you will be asked to submit financial records including federal income tax returns. If the EPA concludes that The Vendo Company has a legitimate inability to pay the full amount of the EPA's costs, EPA may offer a schedule for payment over time or a reduction in the total amount demanded from you.

Also, please note that, because the EPA has a potential claim against you, you must include the EPA as a creditor if you file for bankruptcy.

Information to Assist You

The EPA encourages communication between you and the EPA at the Site. We will provide electronic copies of the PA/RSE, the SI/RSE, and other relevant information for your review upon request. The EPA will establish an Administrative Record that contains documents that serve as the basis for the EPA's selection of a cleanup action for the Site. The Administrative Record will be located at the Mid-Continent Public Library, Buckner Branch, 19 East Jefferson Street, Buckner, Mo., and will be available to you and the public for inspection and comment. The Administrative Record will also be available for inspection and comment at the Superfund Records Center, EPA Region 7, 901 North 5th Street, Kansas City, Kan.

Please give this matter your immediate attention. The description above summarizes EPA's environmental investigations at the Site. The EPA would like to discuss with you potential cleanup response actions at the Site. Please contact Mike Davis, the EPA On-Scene Coordinator, at (913) 551-7328, or email at davis.michaelb@epa.gov within ten (10) business days of the date of this letter if you are interested in discussing the Site response actions. If the EPA does not hear from you within this time frame, we may proceed with a fund lead response action. If you have questions of a legal nature regarding this letter, please contact Robert Richards at (913) 551-7502 or email at Richards.Robert@epa.gov.

Sincerely,

Mary Peterson, Acting Chief
Emergency Response and Removal South Branch
Superfund Division

cc: Dennis Stinson, MDNR